

# TRANSLATION TECHNIQUES ON INDONESIAN SWORN TRANSLATOR'S LEGAL TEXTS TRANSLATION

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## Abstract

Legal translation is the transferring the meaning from source language text into target language which not only consists of language system but also legal system. This research aims to analyze the translation techniques used by the Indonesian sworn translators in translating legal texts from English into Indonesian. This research uses descriptive qualitative method. Data obtained through content analysis on translations of the Indonesian sworn translators containing Certificate of Live Birth, Certificate of Marriage, Principles Statement of Terms and Conditions. The result of the research reveals: a) single translation technique dominates the translation technique in translating legal and law scientific texts from English into Indonesian obtains (66,67%) data consisting of 10 variants (literal, amplification, recognized, reduction, borrowing, modulation, transposition, adaptation, colque, and description); b) couplet translation technique (32,%) data consisting of 16 variants (literal and borrowing, literal and recognized equivalent, literal and reduction, literal and adaptation, literal and amplification, literal and transposition, literal and modulation, literal and colque, borrowing and amplification, literal and description, borrowing and modulation, borrowing and adaptation, borrowing and transposition, modulation and colque, reduction and colque, and reduction and adaptation), and triplet translation technique (1,19%) data consisting of 4 variants (literal + borrowing + modulation, literal + amplification + transposition, literal + amplification + borrowing, and literal + transposition + reduction). Researcher concludes that translation technique of legal texts from English into Indonesian conducted by Indonesian sworn translators contains three kinds of translation techniques, *i.e.* single translation technique, couplet translation technique, and triplet translation technique with 30 variants.

Keywords: legal text, law scientific text, translation technique, sworn translator

## I. Introduction

Globalization is happening during this indicate interplay between one country and another. In this globalization has spread values, concepts, and laws from around the world to various parts of the world. Globalization is also accompanied by a process of globalization, where local values (political setting and context) were taken from one place to another (Benda-Beckman et. al, 2005:8). Thus, globalization started from interplaying in abstract forms (values and concepts)

gradually becomes real (legal system), which originated from the local values and concepts into international values and concepts that eventually become international law.

Merry in Irianto (2012:160) states that globalization is not only indicated by the borderless state but also the borderless law. It shows that the law of a particular region can penetrate into other areas indefinitely. International and transnational law can penetrate into the territory of any country, even the local area anywhere in the grassroots.

Otherwise, it is not impossible if the law and the principles adopted in part or entirely locally becomes international law.

Each legal system has a vocabulary that is closely related to the concept, regulation and function of the law on its people in use. David and Brierly (1985:19) state that each legal system has a vocabulary used to express concepts, its rules are arranged into categories, it has techniques for expressing rules and interpreting them, it is linked to a view of the social order itself which determines the way in the which the law is applied and shapes the very function of law in that society.

## II. Method

This research uses descriptive qualitative study with a single case. Sutopo (2002:112) reveals that the research referring to single case study, where the study focused on one characteristic. Based on the above opinion, this study is a single case study because it only focused on a single goal, namely the translation.

Sources of data in qualitative research can be a human, and behavioral events, documents and archives as well as a variety of other objects (Sutopo, 2002:50-53). Legal text is the source of the data in this study includes: a) legal documents are *Principles Statement of Terms and Conditions*, and b) personal documents are *Certificate of Live Birth* and *Certificate of Marriage*.

## III. Result and Findings

Based on the analysis of data, researcher gets the data 674 which has three types of translation techniques. The translation techniques are: a) single translation technique has 450 data (66. 67%); b) couplet translation technique has 216 data (32. 14%); and c) triplet translation technique has 5 data (1, 19%) .

### 1. Single Translation Technique

Single translation technique refers to only one translation technique used by the translator. From 450 finding data, there are 10 variants of single translation technique. This technique consists of: literal has 245 data (54. 44%), amplification has 43 data (9. 56%), recognized equivalence has 35 data (7. 78%), reduction has 33 data (7. 33%), borrowing has 27 data (6. 00%), modulation has 20 data (4. 44%), transposition has 19 data (4. 22%), adaptation has 12 data (2. 67%), calque has 9 data (2. 00%), and description has 7 data (1. 56%).

Translator literally translates words such as *Bride*, *Witness*, and *Name* into *Pengantin perempuan*, *Saksi*, and *Nama*. Besides, translator also translates phrases *Certificate of Marriage* and *Company Name* translated into *Akta Perkawinan* and *Nama Perusahaan*. Word equivalences which form phrases strictly refer to the source language words but word constructions have been adapted to the target language phrases (phrases in Indonesian). The English noun

phrase construction, *head + modifier* or *modifier + head* changes into Indonesian noun phrase construction, *head + modifier*. Translator uses this method in order to avoid meaning distortion in the target text language. A noun phrase which has two same words will be different if the position of words in different place. For example, the phrase *company name* translated into *nama perusahaan* will be different meaning if the position in the same place of language construction, *perusahaan nama* (the company which produces name).

Translator uses amplification technique to translate *holiday pay*, *sickness absence*, and *civil libertarians* into *liburan yang dibayar*, *kemangkiran kerja karena sakit* and *penganut paham kebebasan sipil*. Each phrase gives explanation of terms' function and meaning in its translation. This technique makes the reader will be easier in understanding the translation text. Recognized technique used by the translator to translate *terms and conditions*, *breaking the law*, and *binding legal force* into *syarat dan ketentuan*, *pelanggaran hukum* and *kekuatan hukum yang mengikat*. Terms of *syarat dan ketentuan*, *pelanggaran hukum* and *kekuatan hukum yang mengikat* are recognized by translators as the equivalences of *terms and conditions*, *breaking the law*, and *binding legal force*.

Translator applies reduction technique to translate *the fact of birth*, *a particular qualification*, and *the completion of a 6 month*

*probationary period* into *kelahiran*, *kualifikasi* and *masa percobaan 6 bulan*. Phrase *the fact of birth* translated into *kelahiran* is less impact on the accuracy of the translation when compared to *masa percobaan 6 bulan*.

Borrowing technique used by translator to translate *postcode* and *moral standards* into *postcode* and *standar moral*. There are two types of loan translation techniques used by translator, pure borrowing and borrowing with spelling adjustments in the target language.

Translators uses modulation technique to translate *Overtime payments are made in line with the Company Remuneration Policy* into *Pembayaran uang lembur akan dilakukan sesuai dengan Kebijakan Remunerasi Perusahaan*. Translator takes this technique to adjust the equivalence of meaning in the context of sentence. *Overtime payment* will be naturally translated into *pembayaran uang lembur* than *pembayaran lembur*.

Transposition technique applied by the translator to translate *a satisfactory standard*, *addiction*, and *it serves* into *memuaskan*, *kecanduan narkoba* and *dijalankan*. There are three types of translation transposition techniques applied by translators in translating words or phrases mentioned above. In *a satisfactory standard* translated into *memuaskan*, there is a transposition from phrase to word. Otherwise, translation of *addiction* translated into *kecanduan narkoba*, it takes transposition from word to phrase. On

the other hand, translation of *it serves* translated into *dijalankan*, there is transposition from active sentence into passive voice.

Translator implements adaptation technique to translate *dear, bridegroom* and *your sincerely* translated into *Yth* (shortened for *Yang terhormat*), *mempelai pria* and *hormat saya*. *Dear* literally means *beloved* or *precious* translated into *Yang terhormat*. Translator adapts the target cultural elements in translating such words and phrases.

Translator uses colque technique to translate to *solemnize marriage, it will terminate on* and *inquiries to* into *untuk mengesahkan perkawinan, kontrak akan berakhir pada tanggal, and pertanyaan untuk*. Words, phrases, and clauses are translated literally in both lexical and structural according to the source language.

Description technique used by translator to translate *any unauthorized person* into *siapapun yang tidak wewenang untuk itu* and *libertarian* into *seseorang yang meyakini bahwa setiap orang harus diberikan hak untuk melakukan atau menyampaikan kehendaknya tanpa adanya hambatan dari pemerintah*. Translator tries to describe the meaning of the term clearly in order to avoid multiple interpretations for the target language text reader.

## 2. Couplet Translation Technique

There are 219 data of couplet translation technique which consists of 16

variants: literal and borrowing are 146 data (66.66%), literal and recognized equivalent are 15 data (6.85%), literal and reduction are 14 data (6.39%), literal and adaptation are 10 data (4.56%), literal and amplification are 7 data (3.20%), literal and transposition are 7 data (3.20%), literal and modulation are 5 data (2.28%), literal and colque are 4 data (1.82%), borrowing and amplification are 4 data (1.82%). Literal and description, borrowing and modulation, borrowing and adaptation, borrowing and transposition, modulation and colque, reduction and colque, reduction and adaptation, each of these couplet techniques has 1 data (0.46%).

Translator uses literal and borrowing techniques to translate *department of health, county of birth* and *concept of law* into *departemen kesehatan, county kelahiran* and *konsep hukum*. Translator literally translates *health, birth, and law* into *kesehatan, kelahiran* and *hukum*. On the other hand, translator uses borrowing technique to translate *department, county, and concept* into *departemen, county* and *konsep*. Translator uses borrowing technique both in pure borrowing and borrowing with spelling adjustment.

Translator applies literal and recognized equivalence techniques to translate *Principle Statement of Terms and Conditions* into *Pernyataan Pokok Syarat dan Ketentuan*. Translator literally translates *principle statement* into *pernyataan pokok*, while

recognized equivalence applied to translate *terms and conditions* into *syarat dan ketentuan*.

Translator applies literally and reduction techniques to translate *You are obliged to give the Company (notice) weeks notices to terminate will be made permanent* into *Anda berkewajiban untuk menyerahkan kepada Perusahaan (Pemberitahuan) minggu sebelumnya untuk mengakhiri kontrak kerja Anda*. The word *permanent* in *to terminate will be made permanent* is not translated or reduced because of perceiving lack of information contributed to or been sufficiently represented by a word which also means to end permanently, while other elements of the sentence are translated by using literal technique.

Translator uses literal and adaptation techniques to translate *Signature of Celebrant, Date filled by the Registrar and Dear (Name)*. Translator literally translates *signature, date* and *name* into *tandatangan, tanggal* and *nama*. Translator, however, uses adaptation technique to translate *celebrant, registrar* and *dear* into *pendeta, pencatat* and *kepada Yth*.

Translator applies literal and amplification techniques to translate *breach of confidentially* and *any sickness absence* into *pelanggaran terhadap ketentuan kerahasiaan* and *setiap ketidakhadiran kerja karena sakit*. Translator literally translates *breach* and *any* into *pelanggaran* and *setiap*. On the other hand, translator applies amplification

technique to translate word *confidentially* and phrase *sickness absence* translated into *ketentuan kerahasiaan* and *ketidakhadiran kerja karena sakit*. Translator applies amplification technique in order to provide more complete information to the target reader.

Translator uses literal and transposition techniques to translate: *At the end of this period if your performance is satisfactory standard of your appointment will be made permanent* into *Pada akhir periode, apabila kinerja Anda memuaskan, Anda akan diangkat menjadi permanen*. Translator uses transposition technique, transposition of phrases become words, *your appointment* and *satisfactory standard* translated into *Anda* and *memuaskan*. Besides, translator literally translates the other words in this sentence.

Translator uses literal and modulation techniques to translate *overtime payments* into *pembayaran uang lembur*. There is modulation technique in *overtime* translated into *uang lembur*, yet translator literally translates *payment* into *pembayaran*.

Translator uses literal and colque techniques to translate *signatures of parties to the marriage* into *tanda tangan para pihak pada perkawinan*. Translator literally translates *signatures* into *tanda tangan*. Translator, however, uses colque technique to translate *the parties to the marriage* into *para pihak perkawinan*. Therefore, the translator uses literal and colque techniques in



translating *signatures of parties to the marriage* to *tanda tangan para pihak pada perkawinan*.

Translator applies borrowing and amplification techniques to translate *this copy serves as prima facie evidence of the fact of birth in any court proceeding* into *salinan dokumen ini merupakan bukti yang bersifat prima facie terhadap kelahiran dalam proses pengadilan manapun*. Translator applies pure borrowing in translating *prima facie*. However, translator applies amplification technique in translating evidence into *bukti yang bersifat*. It means that translator applies borrowing and amplification techniques to translate *prima facie evidence* into *bukti yang bersifat prima facie*.

Translator uses literal and description techniques to translate *Signature of Celebrant* becomes *Tanda tangan Pihak yang menyatakan di atas*. Translator literally translates *signatures* into *tanda tangan*. Translators, however, uses description to translate *celebrant* into *pihak yang menyatakan di atas*. This technique takes in order to provide more complete information to the target text reader.

Translator uses borrowing and modulation techniques to translate *at the end of this period if the performance is of a satisfactory standard will be your permanent* into *pada akhir periode tersebut, apabila kinerja Anda memuaskan, Anda akan diangkat menjadi permanen*. There is modulation in

clause of your permanent will be permanent because of shifts in the viewpoint of translator to the source language text. Translator uses borrowing with spelling adjustment in translating *permanent* into *permanen*.

Translator applies borrowing and adaptation techniques to translate *Dear (name)* to *Yth (name)*. *Dear* lexically meaning lover or beloved, is translated into *Yth* (shortened from *Yang terhormat*). Translator adapts the target cultural element to translate *Dear*. On the other hand, translator applies pure borrowing to word *name*.

Translator uses borrowing and transposition techniques to translate *it is a condition of your employment that the company is satisfied on your medical fitness to carry out your duties* into *yang menjadi persyaratan kepegawaian Anda adalah perusahaan menerima bahwa Anda sehat secara medis untuk melakukan tugas-tugas Anda*. Translator uses borrowing with spelling adjustment to translate *medical* into *medis*, yet translator uses transposition, from adjective becomes verb, in *satisfied* into *menerima*.

Translator applies modulation and collocation techniques to translate *I...having authority under the Marriage Act 1961 to solemnize marriage* into *Saya...yang memiliki wewenang berdasarkan Undang-Undang Perkawinan 1961 untuk mengesahkan perkawinan*. Translator uses modulation technique to translate *solemnize*, lexically meaning *hold*, into *mengesahkan (legalize)*. It

means that there is a different viewpoints of translator to the source language text.

Translator uses reduction and colque techniques to translate *hereby certify that I have this day at...* into *dengan ini saya menerangkan bahwa pada hari ini...* Translator reduces word *at* in this clause and uses colque to translate *that I have this day at...* into *bahwa pada hari ini...* It can be said that translator uses reduction and colque techniques in translating the clause above.

Translator uses reduction and adaptation techniques in translating *Dear (Name)* into *Yth* (shortened from *Yang terhormat*). Translator adapts the source cultural element in the target text in *Yang terhormat*, meanwhile, translator reduces the word *name*.

### 3. Triplet Translation Technique

There are 8 data in triplet translation technique which has 4 variants, namely: literal, borrowing and modulation techniques are 3 data (37, 50%); literal, amplification and transposition techniques are 3 data (37, 50%); literal, amplification and borrowing are 1 data (12, 50%); and literal, transposition and reduction techniques are 1 data (12, 50%).

Translator uses literal, borrowing and modulation to translate *This appointment is conditional on a satisfactory Occupational Health Service/Company Doctor* into *Pengangkatan Anda dilakukan dengan syarat penilaian Dinas Kesehatan Kerja/Dokter Perusahaan yang memuaskan*. Translator

literally translates *Occupational Health Service* into *Dinas Kesehatan Kerja*. On the other hand, translator uses borrowing with spelling adjustment to translate *doctor* into *dokter* in phrase *Dokter Perusahaan*. Translator, however, applies modulation technique to translate *is conditional on a satisfactory* into *dilakukan dengan syarat* because of shifting in the meaning contained in the phrase.

Translator uses literal, amplification and transposition techniques to translate *any alternations invalidate this certificate* into *pengubahan apa pun akan membuat akta kelahiran ini tidak berlaku*. Translator literally translates *any alternations* into *pengubahan apa pun*, yet there is amplification technique in translating word *invalidate* into *akan membuat tidak berlaku*. On the other hand, translator uses transposition to translate *certificate* into *akta kelahiran*, word changes to phrase. It means that translator translates *any alternations invalidate this certificate* into *pengubahan apa pun akan membuat akta kelahiran ini tidak berlaku* by using literal, amplification and transposition techniques.

Translator applies literal, borrowing and amplification techniques to translate *Lawyer's Conception of Law* into *Konsep Hukum di mata Pengacara*. Translator literally translates *Law* into *Hukum*, yet translator applies borrowing with spelling adjustment in translating *conception* into *konsep*. Meanwhile, translator applies amplification

technique to translate *Lawyer's* into *di mata Pengacara*. Translator takes this technique in order to provide more complete information to the target reader.

Translator applies literal, transposition and reduction to translate *we wish to define law by two "moment" - that of the order and that of coercion* into *hukum didefinisikan melalui dua "peristiwa"-terkait keteraturan dan paksaan*. Translator literally translates *law* into *hukum*. While transposition technique used by translator to translate *to define* becomes *didefinisikan*, there is shifting from active into passive voice. Translator reduces clause *we wish to define law ...* into *hukum didefinisikan...*

#### IV. Conclusion

Translation technique of legal texts and legal scientific texts from English into Indonesian conducted by Indonesian sworn translator obtains 674 data which includes three kinds of translation techniques: single translation technique which consists of 10 variants has 450 data (66. 67%); couplet translation technique which consists of 16 variants has 216 data (32. 14%); and triplet translation technique which consists of 4 variants has 8 data (1. 19%).

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